

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 3, 4, 6, 8, 10 through 13, 15, and 18 are pending, with Claims 1, 13, 15, and 18 being independent. Claims 1, 3, 4, 6, 8, 10 through 13, 15, and 18 have been amended. With respect to the amendments, Applicant respectfully directs the Examiner's attention to, for example, (a) dependent media item, Fig. 2, item 911, p. 13, line 13 (see first media track); (b) EDL, Fig. 2, item 902, p. 12, line 7 (see second media track), and (c) source track, Fig. 2, item 906, p. 12, line 9 (see third media track). Of course, the claims are not limited to the disclosed embodiments.

Claims 1, 3, 4, 6, 8, 10 through 13, 15, and 18 were variously rejected under 35 U.S.C. §§ 102 and 103 over US 2003/000285 A1 (Hsaio, et al.), taken alone or in view of US 6,970,639 B1 (McGrath, et al.). All rejections are respectfully traversed.

Claims 1, 13, 15, and 18 variously recite, *inter alia*, adding an EDL element into a second media track (the EDL item referencing a media item from the first group of media items), associating at least one track control attribute in the EDL element with at least one subsequent EDL element in the second media track, the attribute affecting a duration of a media item in the first media track referenced by the EDL element in the second media track, and generating the first media track in accordance with the EDL element, the track control attribute, and another media item in a third media track.

However, Applicant respectfully submits that none of the applied documents, even in the proposed combinations, assuming, *arguendo*, that such could be combined, discloses or

suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1, 13, 15, and 18.

The Official Action relies, for example, upon Hsaio, et al. [0021]-[0025], which merely discloses, e.g., a video track VA, video track F/X, transition track VB, overlay track V1, overlay track V2, etc., with insertion (step 503) and modification (step 509); but Applicant submits that nothing there corresponds to the above-discussed claimed features (including the EDL), and McGrath, et al. fails to remedy Hsaio, et al.'s deficiencies.

Applicant also respectfully submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

#### REQUEST FOR ENTRY OF AMENDMENT

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicant respectfully submits that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicant earnestly

believed that the prior Amendment placed the subject application in condition for allowance.

Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

### CONCLUSION

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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